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In re Application of :
Nordt :
Application No. 10/034,401 :
Filed: December 28, 2001 :
Attorney Docket No. 1440A(Nordt) :

OFFICE OF PETITIONS

ON PETITION

This is a decision on the petition under 37 CFR 1.181, filed October 18, 2005, to withdraw the holding of abandonment.

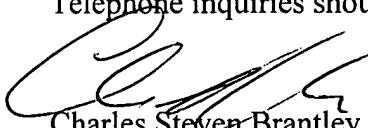
The petition is **granted**.

The above-identified application was deemed abandoned for failure to reply in a timely manner to the Notice of Non-Compliant Amendment mailed July 14, 2003, which set a shortened statutory period for reply of one (1) month or thirty (30) days (whichever is later). No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application was deemed abandoned as of midnight on August 14, 2003. A Notice of Abandonment was mailed on August 4, 2004 .

Petitioner contends a reply was timely filed. Petitioner has supplied a showing in compliance with 37 CFR 1.8(b). Therefore, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn.

Technology Center Art Unit 3728 will be informed of the instant decision so that the examiner may further consider the merits of the application in due course.

Telephone inquiries should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.


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Office of Petitions